THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HONBLE DR.JUSTICE G.YETHIRAJULU

–

WRIT PETITION NO. 2183 OF 2005.

Between

The Branch Manager, New India

Assurance Co., Ltd.,Trunk road, Ongole

….Petitioner

And

1.Chalamani Narasa Reddy

son of Venga Reddy, 38 yrs,

Lawyer, Pet, Ongole and another

…Respondents

–

JUDGMENT (Per Sri B.Prakash Rao, J)

Heard both sides and at their request, the main writ petition itself is taken up for disposal.

The petitioner herein which is the Insurance Company seeks to assail the orders passed at Interlocutory stage by the 2nd respondent which is the District Consumer Forum allowing the interlocutory application seeking to set aside the order passed earlier.

The only question which is involved in this writ petition is as to whether there is any power vested with the Consumer Forum to entertain any such application. The said question is no longer *resintegra.* The Division Bench of this Court in *Satyam Reddy v Spl. Deputy Collelctor, Nizamabad* has held that no such power of review or otherwise vested with

them. In view of the same, the very application is not maintainable.

Accordingly, the writ petition is allowed and the order dated

03-12-2004 in I.A.No.255 of 2004 in C.D.No.38 of 2004 on the file of the 2nd respondent herein is hereby set aside. However, it shall be open for the respondents herein to seek any such other remedy which is available under the law. No costs.

B.PRAKASH RAO, J

Dated: 04-10-2005.

G.YETHIRAJULU, J

Hsd

That Rule Nisi has been made absolute as above.

The witness, the Hon'ble Sri Bilal Nazki, the acting Chief Justice, on this Tuesday, the Fourth day of October, 2005.

Asst. Registrar